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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 13, 2006

BY HAND DELIVERY and FAX

The Honorable Kenneth M. Karas
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Douglas Shyne et al.
84 05 Cr. 1067 (KMK)

Dear Judge Karas:

The Government respectfully requests several extra days to respond to the motions filed by Michael Fineman, Esq., on behalf of defendant Nathaniel Alexander, until June 21, 2006. Defendants' motions in this case were due to be filed on June 2, 2006, and the Government's responses are due on June 16, 2006. Only defendant Alexander filed motions in this case, which the Government received on June 5, 2006. Specifically, Alexander requests that the Court (1) suppress all statements he has made to Government agents; (2) dismiss the Indictment; (3) order the disclosure of grand jury testimony; (4) order the production of all post-arrest statements; (5) order a hearing to determine the existence of a conspiracy; and (6) preclude the Government from asserting deliberate ignorance or from introducing evidence of the defendant's financial condition.

The allegations made in support of these motions contain stunning claims of governmental misconduct. The Government's response to these allegations has been slowed by several factors, including the fact that an agent involved in Mirandizing the defendant is currently out of the country, and another is out of the state. In addition, due to the nature of the accusations - as well as the fact that Mr. Fineman has himself predetermined the matter sub judice and seen fit to refer it to the state disciplinary committee - the Government's response will be reviewed at higher levels within the United States Attorney's Office. If that review is completed prior to June 21, the Government will of course file its submission prior to that date.

JUN-13-2006 15:07

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212 637 2429 P.03/03

In short, the Government respectfully requests a brief extension of time, until June 21, 2006, within which to file its response to defendant Alexander's motions.

Respectfully submitted,
MICHAEL J. GARCIA
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Southern District of New York

By: 

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cc: Michael Fineman, Esq. (by fax)